

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

JAN 31 2006

JOHN F. CORCORAN, CLERK  
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TIMOTHY GRIMES,	)	
Plaintiff,	)	Civil Action No. 7:05cv00036
	)	
v.	)	<b><u>ORDER</u></b>
	)	
RONALD FOWLER, <u>et al.</u> ,	)	By: Samuel G. Wilson
Defendants.	)	United States District Judge

This matter is before the court upon plaintiff's motion and objections which the court will construe as a motion for reconsideration of the Magistrate Judge's denials of his motion for discovery<sup>1</sup>, to amend his complaint<sup>2</sup>, and his motion for service of process<sup>3</sup>. Having reviewed relevant portions of the record and the Magistrate Judge's separate rulings, the court finds Grimes's objections are without merit. Accordingly, it is **ORDERED** and **ADJUDGED** that this motion for reconsideration is **DENIED**.

The Clerk of the Court is hereby directed to send a certified copy of this Order to plaintiff.

ENTER: This 31<sup>st</sup> day of January, 2006.

*[Signature]*  
\_\_\_\_\_  
UNITED STATES DISTRICT JUDGE

<sup>1</sup>By order entered December 30, 2005, the court denied Grimes's requests for discovery and depositions as premature, as the preliminary issues of timeliness and exhaustion of administrative remedies are still before the court and no response has been made on the merits of plaintiff's complaint

<sup>2</sup>By order entered January 18, 2006, the court denied Grimes's motion to amend his complaint to name Randy Boyd or Roger Boyd as a defendant in this matter, finding that plaintiff failed to specify which "Boyd" he would like to amend his complaint to add and that he failed to allege with any specificity any grounds or facts which would support adding either party as a defendant.

<sup>3</sup>By order entered January 3, 2006, the court denied Grimes motion seeking service of process on defendant T. Francis because the defendants previously informed the court that the Virginia Department of Corrections did not employ any person by the name of T. Francis and Grimes had not provided any further information about this defendant nor provided an address where service could be accomplished. And, on January 18, 2006, the court denied Grimes's motion for reconsideration on this issue.